

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MISSOURI

ELM'S LODGING, LLC) Case No.: 14-61698
Debtor)

MOTION TO SELL PROPERTY

Debtor, Elm's Lodging, LLC, by and through counsel, files this Motion to Dismiss or in the Alternative Motion to Sell Property the above referenced case and states as follows:

1. This case was filed on December 31, 2014.
2. Kevin Checkett was appointed as the Trustee in the above titled case.
3. The Debtor owns a motel in West Plains, Missouri which sets on 4.6 acres in West Plains, Missouri.
4. Debtor signed a promissory note with Liberty Bank and the promissory note is secured by a duly perfected deed of trust. The current outstanding balance is approximately \$198,000.00.
5. Debtor signed a promissory note with RMI and the promissory note is secured by a duly perfected deed of trust. The current outstanding balance is \$378,416.21.
6. The Debtor has received an offer to sale the real estate. The offer to sale the real estate is for \$500,000.00. The real estate commission for said sale is 4 percent. Therefore, the Debtor would receive approximately \$480,000.00 from the sale of the property.
7. There is no equity in the property to pay unsecured creditors and there is no purpose served by not allowing the debtor to sale the property.
8. The Debtor request that the sale be free and clear of any claims by Kevin Checkett, the duly appointed trustee, as there is no equity in the property.

9. The Debtor will provide an accounting after the sale of the property.

WHEREFORE, the Debtor requests an order from this Court allowing the Debtor to sale the property in the above titled case and for any further relief that is just and appropriate.

STAUFFER LAW FIRM, LLC

/s/ Jacob W. Stauffer
Jacob W. Stauffer (MO #56660)
204 West Main Street
West Plains, MO 65775
Telephone: (417) 256-5140
Facsimile: (417) 256-5270

ATTORNEY FOR DEBTOR

NOTICE OF MOTION

You are hereby notified that a Motion to Shorten Notice has been filed in the above-captioned case. Any response to the motion must be filed within 21 days of the date of this notice with the Clerk of the United States Bankruptcy Court. Parties represented by an attorney shall file electronically at <https://ecf.mowb.uscourts.gov>. Pro se parties shall mail filings to: United States Bankruptcy Court, Western District of Missouri, 400 East 9th Street, Room 1510, Kansas City, MO 64106. The Court will serve such response electronically on the Trustee, debtor's attorney and all other parties to the case who have registered for electronic filing. Respondent shall serve all parties who are not served electronically.

If a response is timely filed, a hearing will be held on a date and time determined by the Court. Notice of such hearing will be provided to all parties in interest. If no response is filed within 21 days, the Court will enter an order.

Dated this March 20, 2015.

/s/ Travis W. Holthouse

Certificate of Service

I, Travis W. Holthouse, certify that the above notice was served on all creditors requesting notice by regular U.S. mail, postage prepaid and by electronic mail to the Trustee on this March 20, 2015.

/s/ Travis W. Holthouse